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Stephen Macdaniels

Drawn from Life in Newgate, June 10. 1756.

From the Scarce Original Print.

Published by W. Hone, 55, Fleet Street, September, 1826.

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C. K. OGDEN

HONE'S
INTERESTING HISTORY
OF THE MEMORABLE
BLOOD CONSPIRACY,

CARRIED ON BY

S. MAC DANIEL, J. BERRY, J. EGAN, and J. SALMON,

Thief-Takers,

AND THEIR

TRIALS AND SENTENCES,

IN 1756,

FOR PROCURING TWO BOYS TO COMMIT A ROBBERY, IN ORDER TO GET THE
REWARD FOR THEIR CONVICTION, AND OBTAINING AN INNOCENT
LAD TO BE EXECUTED, HAVING SWORN AWAY THE LIVES
OF SEVENTY POOR CREATURES, AND RECEIVED

£1,720 FROM THE TREASURY

FOR THEIR

BLOOD-MONEY;

ALSO THE REASONS FOR WHICH THEY WERE SUFFERED TO ESCAPE THE
GALLOWS, AND ILLUSTRATIVE LEGAL AND CRITICAL

NOTES AND OBSERVATIONS

APPLICABLE TO

PRESENT CIRCUMSTANCES.

With a Portrait of Mac Daniel, after he was Pilloried.

London:

PRINTED FOR WILLIAM HONE, 55, FLEET STREET.

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THE MEMORABLE BLOOD CONSPIRACY, &c.

A RIGHT Reverend Prelate once informed the good people of this country, that they had nothing to do with the laws but to obey them; and many *genteel* persons are so favourable to the doctrine, that they are scandalised at every expression of honest indignation excited by some notable proof of their impolicy, partiality, or injustice. The indulgence claimed for the laws, too, must be extended to their administrators; and we are gravely called upon, not only to make the usual allowances for human infirmity, but absolutely to forego that vigilance and exposure of abuses, without which laws would soon become the mere *discretion* of the magistracy. Now, with all due respect to the powers that be, it may be contended that *almost every improvement, both in theory and practice, has originated in this country from EXTRA-OFFICIAL interference*; and that public opinion, freely but decently expressed, is as essential to the regulation of the *magistrate* as the criminal. All the world knows what implicit confidence engenders in this respect, and how round and voluble the exclamation of "*All's well*" is re-echoed from one worshipful quarter to another, until humane and public-spirited individuals penetrate into the painted sepulchre, and draw forth the rottenness and bones. Away, then, with this trust and this apathy, which cannot be afforded to any body of men. If an administrator of criminal law be seen presiding over a case of life and death with the spirit of a rat-catcher, acting as counsel, nay as a *friend*, to the prosecutors; and if, disregarding the light and shade of circumstance, a human being should be hurried out of the world whose guilt is more than doubtful, let not "respectable persons" stifle their genuine feelings, and exclaim "It is a sad thing, to be sure; but the individual is hanged now, and if we meddle it will only unsettle the minds of the lower orders."—*Lower orders!*—it would be difficult to discover an order *lower* than that which contains minds to whom such abuses are indifferent.

The title of these sheets will naturally lead the intelligent reader to the immediate cause of the foregoing observations. He will perceive that they are suggested by the recent discovery of the nefarious proceedings of certain retainers of the police; the publicity of which is another awkward particular for the philanthropists whose sympathy evaporates in "Dear me! a sad thing, indeed!" &c. &c. If this abominable iniquity were *new* to the country, or one of those isolated instances of human depravity which now and then arise to disturb the settled conceptions of society, it would afford little room for observation; but such is not the fact. Almost every one has heard of Jonathan Wild, and seen the Beggar's Opera: Jonathan, by polite people, is doubtless put upon the shelf with Nero, as an impossible repetition in these humane and civilised times, and the Beggar's Opera laughed at as a joke. Be it known, therefore, to the worthy souls who so pique themselves upon superior national morality, that *English Jonathans* exist in this said year 1816; and that the Beggar's Opera, which was only a *slight* caricature of the abuses of the day in which it was written, is not wholly pointless at present. Be it known, also, that in the year 1756 a similar discovery of conspiracy, murder, and perjury, for reward, was discovered among the attendants of justice, as at present; and hence the scandal of persevering in a system so calculated to confirm guilt and ensnare innocence as that of *blood-money*, which is a premium for the cultivation of petty criminality into the high or *rewardable*. The extreme licence given to the men whose interest it is to convict, cannot be too much decried; and the preference with which their bare unsupported testimony is frequently received, is a perfect anomaly to the doctrine laid down in other cases. What *may be* we learn by what *is discovered*; but how frequently innocence has suffered, dishonesty been tempted, and justice deluded, we know not. Of this we are certain, that in 1756 a system of horrible treachery, conspiracy, and murder, took place, which is repeated in 1816, with permission, and with such a nicety of resemblance that, as far as the examinations have hitherto proceeded, the one may be considered an echo to the other. It is this resemblance which suggests the present account of the thief-takers, MACDANIEL, BERRY, SALMON, and EGAN. To display the results of a like discovery many years ago, may tend to enlighten the public on the subject of such crying evils. It may do more—it may shew that a system, which from time to time has produced such monstrous iniquity, is radically defective, and, in this sense, assist a noble-minded individual (Sir Samuel Romilly) in his ill-repaid labours. There is also a Police Committee of the House of Commons existing, to whom the account, accompanied with a little brief annotation, suggested by the striking coincidences of the present day, may be welcome. An account published at that period, from which several of the ensnaring facts have been extracted, opens with coarse, but honest and even eloquent, simplicity, as follows:—

HISTORY of the THIEF-TAKERS,

STEPHEN MACDANIEL, JOHN BERRY, JAMES GAHAGAN, OTHERWISE EGAN, AND JAMES SALMON.

NEVER was wickedness carried to so monstrous a height, or so long escaped with impunity, as the horrible villainies of these miscreants, whose history we here offer to the public view. Nor can the records of any nation upon earth, how barbarous and savage soever they may be represented, furnish such a continued series of inhuman and unprovoked cruelties and murders, executed by any set of men, as have been perpetrated by these incarnate demons, under the mask of doing public justice: nay, it may be truly affirmed, that, were we to search the journals of the OLD BAILEY for an hundred years past, we shall not find their equals in relentless cruelty.* They made no scruple of sacrificing the lives of a great number of innocent persons, with no other view than to get money; and, as an aggravation of their crimes, they always added perjury to murder. They laid snares for the unwary, forged robberies for those who were never guilty of them, and fixed them in open court, by the most solemn appeal to God, when, at the same moment, their consciences told them that every fact they swore to was absolutely false. And so artfully were their iniquitous schemes contrived, that it was almost impossible for the person whom they doomed to the slaughter to escape the snare. They had their terriers to start the game, while this pack of bloodhounds were watching to devour it. They always had their under-agents to seek out the object for a victim, which they themselves undertook to butcher at the altar.

Nor was London the only stage on which they exhibited their barbarous practices; for they were frequently seen at assizes in several parts of the country, pursuing the same hellish designs of swearing innocent people out of their lives for the reward.

For twenty years and upwards had these blood-suckers been preying upon the lives of poor heedless creatures, who had been gripped to death by their merciless talons. Scarce a sessions was held at the Old Bailey for many years before, but some unhappy wretch had been sacrificed to their cruel avarice. And so hardened, so lost to all sense of humanity, compassion, and remorse, were these

* Is this an anti-climax?—if so, it is excusable while contemplating a case like that which it introduces. It is pleasant to read the observations of certain high-toned journalists upon the demoralization of a neighbouring country—let them look at home. If a conspiracy resembling the recent discovery had transpired in France, with what remarks should we not have been edified. The mischief would instantly be traced in a right line to Rousseau and Voltaire, whose horrible volumes, some sapient private letter-writer would assure us, held a conspicuous station on the book-shelves of the Parisian Mr. Vaughan.

abandoned villains, that, upon sharing the reward on the conviction of any criminal, whom their perjuries had made so, they always had an entertainment, which they very justly called the *Blood-Feast*; at the conclusion of which they concerted measures for their next enterprise, and consulted for pitching upon the unfortunate wretch who was to be the new object of their sanguinary prosecution, and accordingly gave directions to their indefatigable agents, who never failed to bring in the prey they were ordered to hunt for. So frolicsome were they on these occasions, that, if any one of them happened to miscarry in the prosecution, he was sure to be the jest and banter of the whole company.

In 1740, John Berry enticed LYON ALEXANDER, a poor Jew boy, into a house, where were Currant, Deadman, and Unwin, all thief-takers, under pretence of giving him a shilling to carry a bundle. They spirited him off to Greenwich as a runaway seaman; they beat him with their sticks, and broke his fingers; they then gave him in charge to a constable as a footpad, carried him before a magistrate, and Berry and Deadman swore to being robbed by him, and Unwin and Currant that he had been an evidence at the Old Bailey, and hanged five or six people. The unfortunate Jew lad was committed to Maidstone gaol for trial, about a week before the assizes; but, having friends who employed a lawyer in his defence, Berry and his gang never appeared to support the indictment they preferred against him, and one PRITCHARD (whom they had previously got committed, but ran away); and Alexander and Pritchard, an equally innocent lad, entrapped by the wretches in the same way, were cleared. Alexander's friends happening to say in a tavern at Rochester that they would give 50*l.* to have the villains apprehended, a kinsman of Unwin's undertook to effect it, and Berry was actually taken, arraigned, pleaded guilty, fined, and imprisoned. Unwin's friends compromised for 20*l.*; Currant was taken, but escaped out of a coach, and was never afterwards heard of; and Deadman was never taken, though often attempted, always going armed: he once shot at his pursuers, afterwards committed a highway robbery, was taken for that at Oxford, lodged in gaol there, and, attempting to escape by murdering the keeper, was himself killed.

In 1744, STOCKDALE and JOHNSON robbed and murdered the penny-postman at Enfield, and were tried for it, and hung in chains near the spot; shortly afterwards two letters were written to the Earl of Leicester, one of the postmasters general, threatening him with fire and sword if the bodies were not taken down. The Earl offered 500*l.* to any person discovering the writer of the letters, copies of which were published in the advertisement. John Berry, one of the gang, afterwards detected, wrote copies of the letters with a design of slipping them into the pocket of some person of bad character, and then, by having a constable ready to search him, and the letters being found upon him, witnesses were to be produced to swear they were his hand-writing; and thus Berry was to become

entitled to the 500*l.* reward. The plan, however, was not executed; but it was believed at the time that Berry was the author of the original letters, in expectation of a large reward being offered, to give him an opportunity of convicting an innocent person.

Some years afterwards, James Gahagan, otherwise Egan, another of the conspirators, prosecuted a young fellow for robbing him in the fields. At the trial, he first swore he was asleep under a hay-cock; but, being further examined by the court, he declared he was walking in the fields. On so manifest a contradiction, the prisoner was acquitted.—This was a large field for Stephen Macdaniel, another blood-money man, to play upon Egan, and he did not spare to rally him sufficiently for his awkward and ridiculous management; telling him that, when he himself prosecuted, *he always made sure work of it.**

It were easy to fill a large volume with accounts of the horrid schemes and diabolical practices of these monsters of human nature; but we choose to confine our history to the time when thieftaking was followed as a trade, and when these execrable wretches began to be supported and encouraged by some *magistrates*, who, it may reasonably be presumed, profited by their labours; since, in public advertisements, they had not been ashamed to call them *very honest fellows*, and men who *hazarded their lives for the sake of their country.*†

Macdaniel had been a highwayman, and was taken with his companion, whom he became King's evidence against, and hanged. He was afterwards a Marshalsea-court officer and professed thieftaker. In 1750, he prosecuted THOMAS DUNKIN and EDWARD BRUSBY, at the Old Bailey, for robbing him in Pancras Fields of 2*s.* 2*d.* in money, and shooting at him; but a man who was with Macdaniel at the time swore that the prisoners were not the men, but that, coming by shortly after the robbery, Macdaniel seized them.—They were acquitted, and Macdaniel lost the blood-money.

The first enterprise we shall detail, in which Macdaniel, Berry, James Salmon, and Egan, were engaged, was in the year 1751. It was the prosecution of NEWMAN and MARCH, two unfortunate young lads, whom they had singled out as very proper objects for their purpose.

William Newman and James March were indicted for that they, in a certain passage or open place near the King's highway, on James Daniel did make an assault, and steal from his person one hat, value 1*s.* 6*d.* one silk handkerchief, one pair of leather shoes, one penknife, and 1*s.* 6*d.* in money, on September 2*d.*, 1750. This was

* The same elegant raillery appears to have mingled in the conversation of the conspirators of 1816.

† Times are not materially altered in this respect; we may all recollect instances of magisterial protection quite as disinterested and judicious. We know that, in spite of notorious fact, an important prison was long left under the superintendence of an individual who merited one of its cells.—Why?

the crime charged in the indictment, but had no foundation in truth or fact. The scheme was artfully contrived by Macdaniel, Berry, Salmon, and Egan, in order to take away the lives of these two silly youths, whose follies and bad conduct they knew had rendered them fit for their purpose: however, as they did not think proper to appear themselves as witnesses, it was judged necessary to list some others into the service, to do the dirty work for them, for which they were promised an equal share in the reward. Pursuant to this plan of operation, they procured one James Daniel to be the person who was to be robbed; Timothy Brads was to corroborate Daniel's evidence, by swearing he was in the prisoners' company when the robbery was committed; and Woodward Harlow, a *thief-taker*, was to be the person to seize them.

Accordingly, when the trial came on, James Daniel swore positively that, on the day laid in the indictment, he had been with a young fellow part of the way to Coventry, and on his return home called at the Two Brewers at Hockley-in-the-Hole, where he drank a pint of beer. Coming out into the street, he saw three men standing by a lamp, two of them had hats and the other a cap. They crossed over to them, and one of them laid hold of his collar, and swore he would knock his brains out if he stirred; and the other took off his hat, and put it on March's head. Then Newman put his hand in his pocket, and took out one shilling and sixpence. They took from him likewise a penknife and a handkerchief, in which was tied up a pair of shoes. They then ran away, and he went on.

Timothy Brads, who was the instrument which the gang made use of to decoy Newman and March into a robbery, did for that end make himself a party with them; but, to prevent his being involved in the same fate, these demons we are treating of took care to have him admitted an evidence. Accordingly, he swore on the trial that he and the two prisoners went out together with the full intent to rob; and, coming up with the prosecutor on Saffron-hill, he followed them into George-yard, and with the help of the two prisoners robbed him of the things above-mentioned, which they divided among them.

A robbery being thus plainly proved by positive evidence, the falsity of which it was impossible either for the prisoners to make appear or the court and jury to detect, they were both found Guilty—Death.

Newman, in the confession he made a little before his execution, said he was near twenty-one years of age, and born in St. Giles's in the Fields; and that, as to the fact for which he suffered, it was a scheme laid to take away his life for the sake of the reward: that indeed he and Brads did go out together, and wandered they scarce knew where, but happened to stumble into George-yard, where they saw a man sleeping in a cart, from whom he owned the things were taken; but they went off, and left the man as fast asleep as they found him. From hence he concluded that it was the design

of Brads to ensnare him and March, because, as soon as they left the man, Brads went away, and he saw him no more till he was apprehended by the thief-taker, who was directed by Brads where to find him.* March was but 17 years old, had no education, and was apprenticed to a waterman, whose service he quitted to associate with all the idle vagabond boys he could meet with; which at length proved his ruin. He was ignorant almost to stupidity, and therefore it was no wonder he said nothing. Nor is it at all surprising that these two poor unhappy creatures should fall into the snare so artfully prepared for them by the villainous intrigues of this rapacious and bloody gang. Harlow, who had been let into a share in the blood-money, refused to allow Mac Daniel any part of it, because he did not *mount*—that is, appear on the trial as an evidence; but Mac Daniel arrested Harlow, who, afraid of the story coming out, gave Mac Daniel forty pounds to compromise the matter.†

James Daniel died soon after, and, with great anguish of mind, confessed that the boys were innocent.

The gang now took into their service Thomas Blee, the future evidence against themselves, and consulted with him to find out a fit man for their purpose, who was *poor and destitute*;‡ accordingly he met one CHRISTOPHER WOODLAND, to whom he gave a dram, and soon got acquainted with him. The scheme laid to entrap him was contrived in this manner:—Egan was to take the lower part of Berry's house on Saffron-hill, which he did, and some goods were to be borrowed of Mrs. Jones the broker; Tom Blee was to engage Woodland to assist him in breaking open the house and taking the goods; Woodland was to be seized, and Blee escape.

Blee and Woodland went together; Blee took off the padlock, which he had been concerned in putting on, and brought out the things in a bag left there on purpose, and gave them to Woodland to carry off: it was concerted that the goods should be carried to

* Brads was a tailor's apprentice, inveigled by a promise of an equal share in the reward, which amounted to 280*l.*! and which the gang received. They gave him only *nine shillings*; and he, with a most rational apprehension of becoming a victim to his own companions when they might be at a loss, sold himself to the American plantations.

† Macdaniel was more successful than his companion Harlow; for John Simmons, alias Spanish Jack, who was executed at Maidstone in April 1756, there confessed that he had had dealings with the thief-takers then in Newgate, as well as with those at liberty; and declared that, in September 1751, at the instigation of Macdaniel and others, he enticed WM. HOLMES, JOHN NEWTON, and FRANCIS MANDEVILLE, to commit a robbery in Whitechapel, who were apprehended by the gang, tried, and executed at Tyburn, he being admitted an evidence; and further, that they had 420*l.* reward, but that they got only 10*l.*, Macdaniel cheating him of the rest of his share!

‡ Poor and destitute!—Go to Newgate, reader; or, if now happily too late, enquire after the poverty and desitution of the three unfortunate Irishmen thus ensnared and convicted of coining.

Mrs. Jones's, from whence they came, which was done that night; and, after bargaining for them, she gave them a shilling in part, and they were to call the next day for the rest.

This scheme was pursued in every particular, and Woodland was seized the next day, and brought to his trial, and indicted for that he, on the 3d of December, about the hour of nine at night, the dwelling-house of James Egan did break and enter, three linen shirts, value 4s. one pair of blankets, value 5s. one linen counterpane, two smoothing-irons, four candlesticks, four plates, and a pair of metal shoe-buckles, the goods of the said James, in the said dwelling-house, did steal, take, and carry away.

In order to prove the fact charged in the indictment, Egan swore that about eight o'clock at night of the day above-mentioned he went out, and, coming in a little before ten, he found the padlock taken from off from the door, and the stock-lock broke; that his house was fast before he went out; that he found a strong chissel in the house, with which he supposed it was broke open. Upon his missing the things, and talking of it publicly, one Mrs. Jones, who keeps a broker's shop in Broker's-alley, sent to him the next day to acquaint him that she had the things. Accordingly, he went and received them. The prisoner was taken, and carried before Justice St. Lawrence, who asked him how he came by the things?—he said, he was at the house with some other company, and that he held the bag while they put them in; and that it was the first fact. Then Egan, upon searching him, found the buckles wrapt up in his apron.

Mary Jones, who had lent these goods to Egan on purpose that he might be robbed of them, deposed that she lived in Broker's-alley, by Drury-lane; that the prisoner and another person (meaning Tom Blee) came on the day laid in the indictment, about four o'clock in the afternoon, to her house, and asked her if she would buy some things. She desired to know what they were? They said they would bring them presently, went away, and came again about nine o'clock, and brought the things. She told them she would not look at them that night, because it was too late. They came to her again the next day for the money for the goods. She bid them go to some place, and stay a little. Accordingly they went to a public-house in Long Acre, where she followed them, in order to have them secured. She stopt the prisoner, but the other ran away; and the prisoner then said he brought the things from a house on Little Saffron-hill. She said, How did you get into the house?—he replied, There was a fellow who broke open the door, who went in, and he after him, and he put the things in the bag, and brought them away. She then sent a man to Saffron-hill, to enquire what house was broke open, who found the prosecutor discoursing about it, and brought him back with him, and they took the prisoner to Justice St. Lawrence, who, after examination, committed him.

The prisoner, in his defence, said, It was the first fact he was

ever guilty of in his life, and did this for want.—Guilty of Felony only.

But, however dexterously this fine scheme was contrived, the projectors missed their aim; for, the jury finding the prisoner guilty of felony only, he was transported, and consequently they lost their expected reward; which so enrag'd them, that they all swore that somebody should pay for it severely. Blee was ordered to look out sharp, and Mrs. Jones and Berry were to be prosecutors in their next adventure. Their resolution was fatal to poor JOSHUA KIDDEN, as will be proved by the ensuing trial, which we give nearly at large, that the reader may see to what horrible lengths these execrable and blood-thirsty villains carried their cruel and inhuman prosecutions.

JOSHUA KIDDEN was indicted for that he, on the King's highway, on Mary Jones, widow, did make an assault, putting her in corporal fear and danger of her life, and stealing from her person one guinea and four shillings and sixpence in money numbered, January 7, 1754.

Mary Jones.—I live in Broker's-alley, Drury-lane. Last Monday was se'nnight, in the morning, I went to Mr. Berry, and asked him to go along with me to Edmonton. We set out in a chaise about twelve or one o'clock from Hatton Garden, and going to the Bell at Edmonton, staid there very near three hours. We went to enquire for a man I wanted to see, and set out between five and six to come home. I got out at the Plough at Tottenham, by reason the horse kicked very much; and we had two pints of hot ale and rum. Mr. Berry desired me to walk a little, to see how the horse would go, and I believe I did walk about a quarter of a mile: he then called to me, and said the horse went very well, and he believed I might get in. As I was going to get into the chaise, two fellows came round me, and said, You shall not get in; we must have what you have. One of them held my arms, and, taking a great knife out of his pocket, said he would stick me, and that fellow in the chaise, if I spoke a word. The other took my pocket, in which was a guinea, half a crown, two shillings, and a trifle more. They then run away, and I stood by a post, not being able to stand for some time.

John Berry.—Last Monday was se'nnight Mrs. Jones came to me, and desired me to go with her to Edmonton, to see for a man who owed her about 9l. We set out from thence about six o'clock; and coming back, the buckle of the strap had got through, and the horse fell a kicking up much; upon which I desired her to get out. This was near the Plough at Tottenham, where we drank two pints of rum and ale. There was another man with us. I desired her to walk a little till I saw how the horse would go. She walked about a quarter of a mile, and then I said to her, you may get in; but as she was getting in two men caught hold of her. The prisoner was one of them; his stockings were tied below knee, and he had a white waistcoat on. I believe it was the prisoner who held a knife

to her, and said, You old bitch, if you make a noise I'll stick you, and the man in the chaise too. They took her aside, and the other person took her money. This was just facing the seven trees called the Seven Sisters. I being lame, could not get out of the chaise. They then ran as fast as they could.

Q. Did you see them take her money?

Berry. I saw them put a hand to her pocket, and I know she had that money about her, when she came out of the house. I got a man to help her into the chaise, and we called at the first house on the left hand, where we had a quartern of rum. I drove along, enquiring of every body; and at Newington called at a house, and told them how we had been served. A man came out along with me; I asked the patrol if they saw such persons, and about twenty yards distance I saw them both running. This was before we came to Kingsland turnpike; the other man got over a ditch, and the prisoner was taken. We carried him to a house on this side the turnpike. I said, how could you take the money from this poor woman? He said, he did not take the money, but only stood by. We then had him before Justice Withers; and he then said his name was Joshua Kidden, and that he lived in Blackboy-alley; he had on two waistcoats and a cap.

Cross-Examined.

Q. How many persons have you prosecuted here?

Berry. I believe I prosecuted a man about eighteen years ago: he stole horses, and I stopped him. That is the only person I have been concerned in the prosecution of in my life.*

Prisoner's Defence.

I know nothing of robbing the woman.

Several creditable persons deposed to their belief in the honesty of Kidden. Guilty—Death.

Thus fell poor Kidden a sacrifice to the avarice of these wretches, whom neither the sacredness of oaths, nor the consideration of shedding innocent blood, could restrain from committing the most detestable of all crimes, perjury and murder. That he was innocent of the fact for which he was prosecuted, tried, condemned, and executed, was afterwards rendered manifest, as well as the strict truth of the following account.—

The Case of Joshua Kidden, written by himself.

"I by chance got acquainted with a person (Blee) at the Castle in Chick-lane, the bottom of Saffron-hill; and being just come out of the country from my relations, near Lambourn in Berkshire, I was complaining for want of business. I was bred to the sea, and was willing to do any servile business as a porter. This person I got acquainted with, told me, he had got a job to do at Tottenham, to

* Only a few sessions before, Berry had prosecuted a man to conviction in the same court.

remove some goods for a gentleman, who was afraid they would be seized on for rent. Accordingly we went on the appointed day, and going from one ale-house to another till evening came on, was at last told by my companion, who pretended to see for the gentleman, that he had seen him, and it was too late to remove to-night, but he had given him eighteen-pence for my trouble, and that we must come another day. Going home, we met with a chaise, with a man and woman in it, at a place called the Seven Sisters, on this side Tottenham, where the woman was set down from the chaise, and walked up the road, and I, as I past by her, said, are you going to London: It was now about seven o'clock at night: She answered, Yes, and I passed on. This companion of mine, unknown by name, behind, called out, what do you walk so fast for? my answer was, To get to London: but, turning about, saw him robbing the woman. He then ran after me, and said, here I have got some money, and would have forced half-a-crown into my hand, but I refused it. Then he said, Joshua, don't leave me; I must step into the ditch and ease myself. And, walking gently on to wait for my companion, up starts one Mac Daniel, a thief-catcher, and collars me, and said, you are my prisoner. He carried me directly to a justice, before whom the woman swore, that I, with a person unknown, robbed her of five-and-twenty shillings and sixpence. So I was committed to jail, and tried on the woman's swearing, that I, with the unknown person, robbed her, and threatened her life. The person's name that was in the chaise, is Berry; the woman's name, Jones; the man well-known to be a thief-catcher; the woman of as bad a character as needs be.*"

Joshua Kidden, when executed, was twenty-six years of age. He was born of respectable parents, and well educated, being put out apprentice at the proper time, with no small sum of money, to an apothecary. Unhappily for him, he quitted his profession, and went to sea; but neither did this line of life long suit his inclination; and, being deserted by his friends, he was gradually reduced to the necessity of seeking employment as a porter, and in a low public-house became acquainted with Thomas Blee, the miscreant who inveigled him to destruction. He died declaring his innocence, but with great resignation. His letters are most affecting.†

* Every word of this account appears to have been true. The horror of this young man's murder exceeds all the rest, because, though imprudent, there is every reason to believe that he was strictly honest. The man Berry, and the woman Jones, what a pair! Imagination sinks under the conception of such diabolical wickedness.

† The case of this unfortunate young man is so analogous to that of the three poor condemned Irishmen, that we involuntarily shudder at the probable number of sacrifices to the '*good of the country*,' as the casuist Paley calls innocent victims to the laws, which this brokering for reward has from time to time offered up. Without alluding to direct villainy, the mischief which may arise from it is obvious. Many people may recollect the murder of a Mr. F——r, some years ago, and the subsequent execution of a man for the same, whom Miss F. was urged to swear to on imperfect

Money beginning in a short time to run very low with the confederate gang, Berry and Mac Daniel consulted Thomas Blee to look out for a couple of fellows proper for conviction; and it was agreed that the robbery was to be done on Salmon, near the four-mile-stone, going to Deptford, for two reasons; namely, because there was a reward of £20. offered by the gentlemen of East-Greenwich; and because Kidden's affair had made such a noise at the Old Bailey, but at Maidstone was not known.* This affair led to a discovery of these monstrous practices, and to preserve the connection, it is necessary to anticipate a little in this place, by stating, that the vile accomplice, Blee, procured two youths, who were entrapped, and tried like poor Kidden, though not like him altogether innocent; but that by the vigilance of Mr. Cox, chief constable of the Lower Hundred of Blackheath, Blee was *also* taken, and immediately impeached his villainous employers, who were indicted at the Old Bailey under the Acts of 4 and 5 Philip and Mary, and 3 and 4 William and Mary. The best history of their diabolical proceedings, is unfolded by the evidence of Blee, which on the trial was as follows:—

Thomas Blee sworn.

Thomas Blee. I have known the prisoner Berry eight or nine years, and Mac Daniel twelve months last November. I never had any great acquaintance with Salmon, till through Berry in the month of June last. I have known Egan four or five years, by his coming backwards and forwards to Berry's.

Q. Did you know Peter Kelly and John Ellis?

A. I did; I believe they are now in Maidstone gaol; they were when I came away last Monday.

Q. Tell the Court the first time you had any conversation with them.

A. I lodged at Berry's house, and worked for him: Berry said to me, in the beginning of July, go to Mr. Mac Daniel, (he lived then in Scrub's-Court, Holborn), and tell him, I want to speak with him. I went, and he and I came back together to Berry's house. They both said, Tom, money grows scarce, you must give a sharp look-out for a couple to go upon the *scamp* now, and, if you can't get two, you must get one.

recollection. The young lady was absolutely persuaded, against her own salutary doubt in the first instance, to depose positively in Court, and a person was hanged who was innocent,—at least another malefactor subsequently acknowledged to the crime.

* This remark would lead us to imagine, that in the reign of Geo. II. as at present, people would form extra judicial opinions upon guilt and innocence; and, as in the case of ELIZABETH FENNING, sometimes pause upon an Old Bailey conviction. Several circumstances deposed to in the following evidence, prove that *low* persons thought Kidden innocent, long before his innocence was *proved*; to say nothing of the better bred individuals, who, as the man was hanged, thought it *useless* to trouble their heads about it.—The observations relative to the £20. reward offered by the gentlemen of Greenwich, is a fine lesson of caution to well-intentioned people how they distribute money in this way.

Q. What did they mean by going upon the scamp?

A. That is, to go upon the highway. I told them, as Kidden's was so bad an affair, I did not chuse to be concerned more. He was convicted last January was twelvemonth, and executed at Tyburn. Mac Daniel said, *d—n your eyes, if you don't, it shall be worse for you.* Then Berry said, I might go about my business; so I went away. The next morning Berry called me into his room.

Q. Where did he live?

A. At a place called the George-yard, at the upper end of Hatton-garden. He then said, go up to Mr. Mac Daniel's house, and desire him to meet me in the fields about eleven o'clock. I did; and we went into Spa-fields, and Berry came to us. They both said to me, go and look about the fields, and we will sit down on the grass, and see if you can pick up a couple of idle fellows, that will do for the purpose, and introduce yourself into their company.

Q. What did they mean by the purpose?

A. To go upon the *scamp* were the words they said: accordingly we three went into the fields several days, but could not meet with any body fit for the purpose. I remember one day in particular, it was Monday the 15th of July; that day they ordered me to go into the fields, and said they would come, and I sat there two hours before they came nigh me; then Mac Daniel came to the top of the hill, and bid me come to the sign of Sir John Oldcastle, a public-house, and said my master was there: he and I went there, and down to the bottom of the yard, and in the farthest arbour but one, on the left hand side, there sat Berry and Salmon the breeches-maker. Berry bid me sit down, which I did: there we all discoursed together about doing this robbery: Mac Daniel said, we'll do the thing somewhere towards Blackheath: then he and Berry had a sort of a wrangle whether they should not have it done between New Cross turnpike and Deptford, just facing the four-mile-stone.

Q. Was there any particular reason to have it done in that place?

A. Yes; they said, there is a *reward of twenty pounds* that is given by the inhabitants of East Greenwich for apprehending highwaymen and footpads. Berry said, suppose we have Egan concerned with us: then they talked about his being the *fence*, as they call it.

Q. What did they mean by that word?

A. That is to buy the goods after Salmon had been robbed of them. Mac Daniel made an objection to Egan's being in, because he thought five would be too many to be concerned in the reward: Berry said, we can't cleverly do without him, and if there are five of us concerned, it would be pretty nigh twenty pounds each, if a constable should come in. And they all three, that is Berry, Mac Daniel, and Salmon, concluded that Egan should be concerned as a *fence* in the robbery, and Berry said he would go and let Egan know of it that night; and said to me, Now, Tom, you may go home about your business, we will not be seen to walk along the streets together: so I went away and left them. The next morning I went out again to see if I could find any body for the purpose, but I could not that

day: the next after, which was on a Wednesday, Mr. Berry called me into his room, and ordered me to go and tell Mac Daniel to come to him to the Bell inn in Holborn: I went, and Mac Daniel and I went to the Bell together; there was James Egan, James Salmon, and Berry; we were all five together: they bid me come and sit down, which I did, and drank part of a pot of beer; then we all concluded that the *thing* should be done.

Q. What thing was to be done?

A. That, if I could get a couple to go on the highway, that Salmon should be the person to be robbed; and that Berry and Salmon talked about making two pair of breeches that Salmon was to be robbed of, and to mark them under the pocket or waistband with some particular mark: to the best of my knowledge it was to be J. S. Then Berry and Mac Daniel said, they must have a particular handkerchief too; then Mac Daniel put his hand into his pocket, and pulled out this handkerchief that I have now in my hand. James Salmon said, that he had got a handkerchief at home that he would mark so as to swear to it, which he was to mark with four oillet holes, one at each corner. Berry said they should want a tobacco-box; Mac Daniel said, he had got a very remarkable one, that any body might swear to, which I have fetched forty halfpenny-worths of tobacco in for Mac Daniel, and I know it to be the same now (*taking it in his hand.*) Mac Daniel said, he would give it to Salmon to be robbed of: then they said, they wanted a halfpenny, and would have it marked. Mac Daniel said he had got a pocket-piece, which piece I saw his wife buy for three-pence and a halfpenny-worth of gin some time before; he said that would do, and it should be marked with a shoe-maker's tool, and he gave it to Egan to mark it: Egan said he had got a tool that he used to stamp the shoes with, that he would mark the piece with; then they bid me go home about my business, which I did. The next morning, Berry called me up into his room again: he gave me three pence, and ordered me to go down to the Fleet-market to see if I could pick up two men or lads there.*

Q. Did he say any thing more at that time?

A. He said, to do the thing. I knew what he meant; accordingly I went down to the market, and met with Peter Kelly and John Ellis.

Q. Did you know them before?

A. I did; I knew them to be very bad lads, that is, pick-pockets. I gave them some gin, but had no discourse with them that day about the thing. The next morning Berry called me into his room again, and gave me three-pence more, and bid me go down to Fleet-market to them, and be sure to have a little talk with them, and told me what to say, and that was to tell them I knew where to get a brave parcel of *lullies*.

* Compare this evidence with the confession of Drake, the wooden-legged accomplice of 1816.

Q. What is the meaning of that?

A. He meant to get a parcel of linen, if they would go with me to Deptford; I went and met them there, and told them as Berry ordered me; that is, I told them I knew where to get a brave parcel of *lullies*, if they would go to Deptford with me.

Blee's evidence here proceeds in a disgusting detail of his manner, of enticing Ellis and Kelly. He met with them in Fleet-market on a Friday; they were on a pea-cart; he treated them with gin, and left them. In two hours he returned, and prevailed on them to assist him in stealing *lullies*. He again left them to concert with Berry; and on Sunday morning he found them in the brick-fields, and treated them again. On Monday, Egan went to look at the boys: he stood three or four yards from them without pretending to know Blee, who pointed them out by giving them a halfpenny each to go and get some gin. Blee then went one way, and Egan another, but met immediately at Mac Daniel's house, where Egan expressed his opinion of the boys to Berry and Mac Daniel, by saying, "by G—d, they'll do very well, they are *two pretty lads!*" Blee continued to arrange the complete ensnaring of the boys until Tuesday, seeing them in the interim, and treating them repeatedly. Blee on that day appointed Berry and Mac Daniel to go and see the lads in the Artillery-ground, which they did. Blee walked with them, whilst the others looked on as if strangers to him. Blee met Berry presently after, and said, "Mr. Berry, do you think they will do?" He said, "Do? d——n me, *I have done less than they over*, for March and Newman were less!" Mac Daniel said the same. Berry desired Blee not to lose sight of the boys, and gave him money from time to time to treat them until the *job* was ripe. On Thursday night, (says Blee), Berry, Mac Daniel, Egan, and Salmon, agreed that it should not be done on the Friday, lest the lads should be apprehended on the Saturday, and kept all day on Sunday in the watch-house, and somebody might come to them, to whom he might tell something about my being concerned with them, and so, by impeaching me, I might be apprehended: so they had therefore fixed it to be on the Monday; on which morning I got up by Mr. Berry's orders: he gave me two-pence or three-pence, I can't be positive which, to go to the Fleet-market to meet them, and bid them stay till nine o'clock, and say I would come to them again, which I did, and returned, as Berry ordered me, to him at the Plumb-Tree ale-house; there was Salmon and he: he sent me out for Mac Daniel; I went to him, and he bid me tell Berry he was shaving himself, and he would come when he had done. I went and told Berry: he changed a guinea, and gave me five shillings, and bid me not to be extravagant: he gave me that, as he said, to *flash* to the boys, to *shew it to them*, and say I made that last night*; I was to pull it out all at once. He gave Salmon half-a-crown to be robbed of.

* Mr. Berry was a complete master in his way—a very finished typification of Satan,

Q. Who were present at this time?

A. There were Berry, Mac Daniel, and Salmon; then Berry said to me, now go away as fast as you can; and I said, at what place shall I stop for you to see you are going, that we may both be sure? I said, I will stop at the Bell in the Borough, and call for a glass of gin; then you may know and be sure that we are going to Deptford. I left them, and went to the two boys.

Q. About what time was this?

A. It was about half an hour after nine in the morning. I went with the boys to a house in Little Britain, there I called for some beer, and bread and cheese, and pulled off my coat, and said, I must go to the fence and get some money, for the woman has not paid me all. Then I left my great coat, and went to Berry, and told him to hasten away, for the boys wanted to go. Berry bid me return to them directly, and said he would be over the water time enough for us. I went to the boys again, and called for another pot of beer to delay the time. After we had drank that, we went out to go to Deptford. When we came to the Bell in the Borough, we went in, and in the right-hand box there sat Berry and Salmon; there I gave the boys each of them a halfpenny worth of gin; I was not to take notice of Berry or Salmon.

Q. What time did you set out from Kent-street?

A. We set out from thence about half an hour after twelve o'clock; I had made them almost drunk. After we went from thence, it was too soon in the day, we could do nothing till it was dark, I told them, so we could go over into the fields, and go to sleep; so, to prolong the time, we went into the fields, and all three of us went to sleep. They slept pretty heartily.* When I thought it proper time to awake them, I did, and away we went to Deptford.

Q. What time did you set out after this sleep?

A. I can't tell the time.

Q. Was it dark?

A. No, it was not. We were in Deptford an hour before dark; I went with them to the sign of the Ship, the house that Berry and Salmon had appointed to come to. I called for a pint of beer at the door, and bid them stay there; and said I had a relation in the town, near the Water-gate, which I wanted to see. I left them, and went to see for Berry and Salmon. I found Berry, he and I went into a public-house, I think it was the Duke William's Head; he called for a pint of beer, and bid me return to the two boys, and Salmon should come to the house. I went to them; they were still at the door; I said, come, let us go into the house, I expect my cousin to come to me.

Q. Had you let the boys into any knowledge of this affair before you came to this place?

A. No, I did not; only I had told them it was to steal some linen; they went for no other intent. Then I went in, and called

* Blee, and all.—Sleep—the innocent Sleep!—What a picture!

for a pot of beer, and bread and cheese; we eat the bread and cheese, and drank the beer, and called for another pot of beer; in the mean time, in came Salmon. He first went and leaned against a dresser, for about half a minute, and then came and sat down in the box near us, and began to discourse about going to London, (it was then dusk.) I saw Berry go by the window, he beckoned his finger, and I went out to him. He said, be sure follow Salmon when he comes out. I went in again, and Salmon presently went out. When Salmon first came in, Kelly said, There is that old blood, the breeches-maker, in Shoe-lane; his son and I have been picking of pockets together many a time. I said, never mind that, what is that to us? I knew the place where he was to stop at; it was just by the four-mile stone, this was agreed upon before. The two boys and I went on, and by the four-mile stone, by a gate, Salmon stood, making believe he was making water. D——n me, said Kelly, there is the old breeches-maker, he is *sucky*, let's *scamp* him.

Q. What reason did you give Kelly and Ellis for your going after Salmon?

A. I said, we will take a walk till it is time to steal the linen.

Q. Was it light or dark?

A. The moon shone. Kelly said, when he came up to Salmon, G—d d—n you, what have you got there? Salmon said, Gentlemen, take what I have got, don't use me ill. He had the breeches under his arm, and he gave them to me; they were in a blue-and-white handkerchief, and I gave them to Kelly. I said to Kelly, what money have you got? Salmon said, here, Gentlemen, what money I have got is in my left-hand waistcoat pocket, in a tobacco-box; (he had told me before, what money he had got would be there.) Kelly put his hand into his pocket, and took the tobacco-box out, and a clasp-knife and fork; then away we walked on for London, and came into Kent-street as fast as we could, and lodged there all night, at a house where I paid the money at going down, by Berry's order, to induce the lads to come there again.

Q. What time did you get to Kent-street after the robbery?

A. I believe we got there about eleven o'clock; the people had no clock in the house.

Q. What money did you take from Salmon?

A. We looked at that coming along; I knew what was in it before; there were two shillings and sixpence, and a pocket-piece with Skilion on it, or some such name, and a punch'd mark in the middle of it.

Court. Look at this tobacco-box.

A. This is the very same, it is rivetted within-side; I have had this box a hundred times in my hand before.

Court. Look at this pocket-piece.

A. This is the same piece which I mentioned before.

Court. Look at the two pair of breeches and handkerchief.

A. These are the same breeches and handkerchief.

Court. Look at this knife.

A. It is the same knife.

Q. What was done the next morning, when you lay in Kent's street?

A. We got up the next morning about seven o'clock, and went over the way to the sign of the Black Spread Eagle, (the house that Berry ordered me to go to.) I called for some beer, and said to Kelly and Ellis, sit down, and I will fetch you something for breakfast. I went out with that pretence, and went to the White Bear in the same street, where Berry ordered me to come to let him know. There sat Berry, Egan, and Salmon at the door, on the bench. Berry said, Mac Daniel is not come yet; now we must wait for him. Go you back, and Egan shall come after you directly. Egan and I walked up the street a little way together. I said, stop there a bit, while I go over to that shop to buy a lamb's liver for breakfast; he said he would go on. He went on before, and called for a pint of beer; I came after with the liver. I said to Ellis and Kelly, as I was going to cut the liver, that man deals in rag-fair, (meaning Egan,) at the same time I knew he did not, but I was to say so when he came in. I said, may-be he will buy the breeches? Shall I ask him? Yes, said they, with all our hearts. I said to him, master, will you buy some leather breeches; he said, let me look at them; if you and I can agree, I will buy them. After he had looked at them, he said, what will you have for them? I said six shillings. He said, I will give you five. He put his hand into his pocket, and gave Kelly a shilling earnest, and said, he had not so much money about him, but he would come in an hour or two, and pay the rest of the money, and he would leave the breeches in our care till he came back. I said, my friend, will you eat a bit of liver and bacon before you go? He said, I don't care if I do. He sat down by the fire side, and said, landlord, let us have a halfpenny-worth of tobacco, and said, God bless me, I don't know what I shall do; I have lost my tobacco-box, (this he was to say to get the tobacco-box of them.) I said to Kelly, let us sell him the box, may be he will buy it. Kelly said, no, let us *ding* it; it is such a remarkable one, may be it may be known.

Q. What did he mean by dinging it?

A. He meant to fling it away; I said, No, let us sell it; then Kelly said, master, I will sell you a tobacco-box, if you'll buy it: he said, let me look at it; he looked at it, and asked what he would have for it? Kelly asked sixpence for it; he said, no, he would not give it; I said, we will not have dry money, we'll have some beer; then Egan said, he would give a full pot of twopenny for it; then Kelly said, he should have it; after he had eat his breakfast, he went out, and goes to Berry and Salmon; I went backwards with the two boys, to play at skittles to detain them, but the ground was so wet we could not play, so we found another pastime called the devil and taylor's. I kept them there an hour and half; then I said, if the man don't come, let us sell the

breeches ; I said, I will go and be shaved, and I left my great coat and went to the White Bear ; but, when they came there, they did not like the people of the house, because when Mac Daniel came they did not like him. I went out of the house, and saw Berry come out of the Elephant and Castle ; they beckoned me over ; I went and called for a pint of beer ; Berry said to me, you may drink with us, and said, d——n you, where is your great coat ? (which is the same I have now,) he bid me turn back and fetch it, and said, Mac Daniel and Egan shall go.

Q. Who were there ?

A. There were all the four prisoners there, sitting in the box going in on the left-hand side, drinking ; I went back again to Ellis and Kelly, and said, the barber is busy, and can't shave me, I must come again in five or six minutes ; I said, the weather is cold, I must put my great coat on ; I put it on, and went to the Elephant and Castle to them again. Berry bid me go to the Bell in the Borough, and stay there till he came, and to get shaved. I went away, and, as I was going, Egan and Mac Daniel went out ; I got shaved ; and went to the Bell in the Borough, and called for a pint of beer and drank it ; about an hour after, Berry came in, and we had another pint ; then he and I went homewards together ; we went as far as Ludgate Hill, there we saw one Mr. Rogers coming along, so he said, leave me, don't be seen with me, and I left him. At night, when Berry came home, I said to him, master, be so good as to lend me some money to go to the fair to-morrow ; he said, that is right, Uxbridge fair is to-morrow the 31st ; he lent me eighteen pence, saying, it was to go to Billingsgate to buy shrimps with ; I went to the fair, and came back again on the 1st of August. Berry bid me not be afraid, saying, he would always keep a good look-out, and they always said, if I was taken up, Salmon should never appear against me.*

Q. Was you at the trial of Kelly and Ellis in Kent ?

A. No, I was not.

Q. Where was you at the time of the trial ?

A. I was taken up on the Friday before, being the 8th day of the month.

Q. What day was the robbery committed ?

A. It was on the 29th of July.

This circumstantial deposition of Blee, was substantially corroborated by that of a drummer, who saw the lads taken in the concerted way described by Blee.

The next evidence details the fortunate apprehension of Blee, and of the means by which these villains were caught in their own snare.

Joseph Cox sworn.

Joseph Cox. I have known Mac Daniel two or three years ; I never saw the other till I saw them all together at Maidstone as.

* The miserable manner in which this wretched tool was rewarded by the gang, proves that he was rather the slave of terror than of lucre.

sizes; I went down on the 14th of August; I am chief constable of the lower half hundred of Blackheath; I had an information, about the beginning of August, that a breeches-maker had been robbed in the parish of Deptford, where I live, by three footpads, and that two of them were taken by Mac Daniel and others, and sent to Maidstone gaol; and the third person, whose name was Thomas Blee, I was informed, kept company with Mac Daniel; and, after two or three day's searching, I very fortunately took the person, with the help of a constable, at Greenwich, on Friday, the 9th of August, in Newgate-street, very early in the morning. I took him directly to the water-side, in order to carry him to Greenwich; when we got him into the boat, he said he would discover all he could concerning the robbery of the breeches-maker; I bid him not do it then, because of the watermen, till we came to a magistrate; we took him before Justice Bell; there he made information, and signed it; it contained the substance of the evidence he has now given against Mac Daniel, Berry, Salmon, and Egan, and therefore need not be repeated.

As soon as this information was taken, (says Mr. Cox,) I obtained separate warrants against Mac Daniel, Berry, Salmon, and Egan. I was advised to attend the trial of Ellis and Kelly, and not to discover I had Blee in custody till after the trial; and, in order that he might not escape, Thomas Warren went to assist me. When I came to Maidstone, I informed myself who were on the back of the bill of indictment against Ellis and Kelly; their trial came on the 15th of August, at night; I came into court soon after the trial began; Blee was then in my custody, but nobody knew it at Maidstone; he was brought down in the night, and stopped short of the town. When I came in, I heard Salmon giving evidence against Kelly and Ellis; he said, he went in at the Ship at Deptford, and had a pint of beer; that he saw three men drinking in a box, and Ellis and Kelly, the then two prisoners at the bar, were two of the three persons, and the other was a carrotty bearded fellow; that after having drank his pint of beer, in the dusk of the evening, he set out in order to go to London; and having got as far as the four mile stone, he stopped at a gate to make water. In the mean time the three men came up, and one of them d—n'd him, and asked him where he was going? he said, he desired him not to swear, and said, he was going to London; upon that the carrotty bearded fellow snatched the bundle from under his arm, and punched him on the breast. The judge asked him, if it was light enough to see their faces, and whether he was sure that the prisoners were two of the men? he said, it was light enough to see their faces, and was sure they were the men that robbed him. Then he said, that Kelly, one of the prisoners, drew a knife, and said, d—n him, let us search him, and took out of his pocket an iron tobacco-box, in which was a guinea in gold, two shillings and sixpence in silver, and a silver pocket-piece, and a clasp knife and fork: he said, the bundle contained two pair of leather-breeches, marked with J. S. and a figure of 4 under

the right pocket, and that the handkerchief had an oilet-hole at each corner, all which were produced in court; he looked at them, and said, they were the goods he was robbed of, and were his property; and they are the same here produced; they were delivered into my care, and have been ever since. The Judge asked him, how he knew the pocket-piece? he said, by a particular mark it had in the middle. His Lordship asked to see it, and it was handed to him.

Q. Were the other prisoners there?

A. I saw Mac Daniel, Salmon, and Egan, who all gave their evidence; but did not see Berry in Court. Egan next gave his evidence, and said, he dealt in old cloaths; that on the 30th of July he went into Kent-street, to the Lock Hospital, to see if they had any cloaths to sell, but, they not being up, he went to the Black Spread Eagle, to get him a pint of beer; that he observed three men there drinking, and as he was telling the landlady his business, one of them, a caroty-bearded fellow, not taken, (for they did not know he was taken then,) asked him if he would buy two pair of breeches? he said, Yes, if they could agree for the price; and they did agree for 5s. and gave Kelly 1s. earnest, till his wife should come with more money, or something of that sort; and, as he was asking the landlady for a halfpenny-worth of tobacco, and saying he had lost his tobacco-box, one of the men offered to sell him one, and he bought it of him for a pot of twopenny. He said, as he was looking at the breeches, he knew them to be Salmon's property, having heard he had been robbed over night; he went out under pretence of getting the rest of the money, but, meeting with Mr. Mac Daniel, an acquaintance of his, and knowing him to be an officer, he told him the story; and Mac Daniel said, he need not trouble himself about an officer, for he could do as well as a constable; and so he returned back with him, and took Ellis and Kelly; and, upon searching them, took out of Kelly's pocket a silver pocket-piece, 1s. and a clasp-knife. He knew the breeches belonged to Salmon by a particular mark. He said, he had bought breeches of him for himself and for his son twelve years, and knew his mark. Mac Daniel was the next witness: he said, he met Egan, an acquaintance; and Egan told him the story, and he went with him, and took Ellis and Kelly, and found upon Kelly a silver pocket-piece, a shilling, and a clasp-knife.

I had fixed my eye pretty steadily on Mr. Berry, whom I asked to go with me to drink a glass of wine, which he did, and I secured him at the Bell; then I went to secure the others according to my warrant. As soon as they had given their evidence, the crier ordered them to go out. We secured them; upon searching Mac Daniel, I found this *knife** upon him; I was told of it before. As soon as they were secured, I was forced to get leave to put them in the mayor's gaol. I asked Salmon, if he knew one Thomas Blee?

* Mac Daniel carried the *knife* as a weapon. He is represented with it in the scarce original portrait, of which the print before the title is an accurate copy.

He said, he knew no such man : I replied, I am sure you must know him ; he as positively denied it again. The next day, when he was carried before the Justices, Blee was brought face to face to him : he looked at him, and declared he had never seen that man in his life before. I asked Mac Daniel, if he knew Tom Blee ? He denied he knew any such person. I asked Egan, and he as positively denied it as the rest. As Berry and I were going to the Bell, he asked me what I thought would be the fate of Ellis and Kelly, and who was to pay the expence of the prosecution, for it was very considerable ; I told him, if they were convicted, there would be sufficient to pay the expences very handsomely ; and, if they were acquitted, the prosecutors, I believed, must bear the expences themselves : he said, he knew that, and for that reason, if this affair was well over, he never would be concerned again. When I came to the Bell, I took him into custody ; and, when I had secured the others in the Mayor's gaol, I carried him to them, and then asked him if he knew Tom Blee : He said, he did not know any such person. The next day, when Berry had been carried before the Justice, and was committed, he and I walked together from the Bell to the gaol, in going along he said, he hoped the gentlemen would not admit Mac Daniel as an evidence, because he had saved himself once before by the same means ; but, said he, if the gentlemen will admit *me* an evidence, I can do for Mac Daniel and another man, meaning Ralph Mitchel. I asked him, if he would tell me any particulars he could alledge against them ? He said, he would write to me in a few days, but he never did. As to Mac Daniel, the next morning after he was apprehended, he desired to speak with me in the room where he was confined. He then cried a good deal, and begged of me to be his friend, and get him committed for farther examination ; for, he said, he could make a very great discovery relating to the public, and could put £500. in my pocket. I told him, I would acquaint the gentlemen with what he said, and accordingly I did, and used my endeavours to prevent his being committed for farther examination : he was afterwards committed on the warrant.*

The trial lasted nine hours, and the Jury found them all four guilty of the facts charged in the indictment ; but, whether the facts

* When the compiler of the "History" stated, that nothing so monstrous had been heard of in savage nations, *not even in the annals of the OLD BAILEY*, he was correct in his gradation ; for corrupted civilization is infinitely more deadly than ignorant barbarity. Regard the conduct of these wretches, Berry and Mac Daniel, each eager to betray the other on the first alarm of danger, and one of them—the murderous miscreant !—warm from prosecution unto death, *crying* at his own misfortune. When the manner in which the conviction of Ellis and Kelly was arranged is considered, and the calm deliberation with which each villain took up his part, what a field is open to the imagination, with respect to the consequences of many years' perseverance in the same course of murder and treachery. But more of this in the sequel.

charged were within the Statutes of the 4th and 5th of Philip and Mary, and the 3d and 4th of William and Mary, they knew not ; and therefore prayed the assistance of the Court ; so it was made a special verdict.*

It appears that the apprehensions of the miscreants were now great, for in November sessions they prayed the Court to be transported for fourteen years ; but on the 26th of June, 1755, the special verdict which the Jury gave upon the trial was argued by counsel before the twelve Judges, at Serjeant's-inn-hall, in Chancery-lane ; but the Court deferred hearing the whole then ; and, in September following, their lordships being of opinion, that the facts charged were not within the Statutes of the 4th and 5th of Philip and Mary, and the 3d and 4th of William and Mary, an order was given, that they should be indicted for a conspiracy, in which the facts, with which the prisoners were charged, might be more clearly explained, and they to receive such punishment, as might be justly inflicted on them by law.

Accordingly, on the 28th of February, 1756, they were again arraigned at the sessions at the Old Bailey, upon an indictment for combining and conspiring together, that one Thomas Blee should procure two persons, namely, Peter Kelly and John Ellis, to go to Deptford in Kent, and to take divers goods and money from the person of the said Salmon on the King's highway, who should be waiting there for that purpose ; with intent that they should cause the said two persons to be apprehended and convicted for robbing him, the said Salmon, on the King's highway, and so unjustly and wickedly procure to themselves the rewards mentioned in the Act of Parliament, proclamation, and other parochial rewards, for the apprehending of highwaymen, July 24, 1754.

Blee was the principal witness against the prisoners in this, as he was upon the former trial. One particular he swore in this, which he had omitted in his first evidence ; namely, that Berry told him, that, when he, Kelly and Ellis, robbed Salmon on the Deptford road, he, Berry, laid behind the four-mile-stone, and saw the robbery committed.

The prisoners having nothing material to say in their defence,

* It is highly important to remark, that Mr. Cox, the constable who took these villains, suggested a plan to obtain their capital conviction, but which the powers that were did not think proper to adopt, and they escaped. There being statutes in force, by which comforting, aiding, abetting, hiring, commanding, or counselling the commission of a felonious act is made felony, the thief-takers were indicted for thus aiding, hiring, and counselling Kelly and Ellis to rob Salmon ; but, because it did not appear that they did immediately and in person apply to Kelly and Ellis, the verdict was brought special. Mr. Cox therefore proposed to get Blee convicted for robbing Salmon, and then, by obtaining a pardon for him, make him a legal evidence against the rest, for counselling, abetting, and hiring him to rob Salmon, which would have been within the Statute, as their application to Blee was immediate ; but this, though Blee consented, was not done, because the pardon of Blee could not be ensured.

the Jury found them guilty. The sentence pronounced against them by the Court was, To be severally imprisoned in Newgate for the term of seven years; and in that time to be each of them set in the pillory twice, in manner following; Mac Daniel and Berry in Holborn, near Hatton-garden; Egan and Salmon in the middle of Smithfield; afterwards, Mac Daniel and Berry at the end of King-street, Cheapside; and Egan and Salmon again in Fleet-street, near Fetter-lane end; and at the end of that time to find sureties for their good behaviour for three years, and to pay a fine of one mark each.

Pursuant to their sentence, Mac Daniel and Berry, on the 5th of March, stood on the pillory in Holborn, near Hatton-garden. Mac Daniel, shortly after he was in, received a terrible wound in the forehead; and Berry, who was weak before, could scarcely endure the vengeance of the populace. It was with the utmost difficulty that one of the sheriffs and the keeper of Newgate, who stood in a balcony just by, prevented their being utterly destroyed; and so great was the mob, that the peace-officers found it impossible to protect the prisoners from their fury.

March 8, Egan and Salmon stood in the pillory in the middle of Smithfield rounds; they were instantly assaulted with showers of oyster-shells, stones, &c. and had not stood above half an hour before Egan was struck dead; and Salmon was so dangerously wounded in the head, that it was thought impossible he should recover. A coroner's inquest was held on Egan, who brought in a verdict of wilful murder against persons unknown. Thus, though the law could not find a punishment adequate to the horrid nature of their crimes, they met with their deserts from the rage of the people.

Mary Jones, the vile prosecutrix of the unfortunate Joshua Kidden, had secreted herself at a gentleman's house at Twickenham, who had married one of her step-daughters. A warrant being obtained from Justice Spurling for apprehending her, on Sunday, February the 1st, Mr. Cox, the head constable of the Eastern Division of Blackheath, in Kent, and one Paterson and Thomas Blee went to Twickenham, where at first, on enquiry, they were told there was no Mary Jones there; but on enquiry at the house for a wrong person, Blee saw her coming down a walk in the garden, at a distance, (he being the only one that knew her); but she made her escape through the hedge into the next yard, and so into the cellar of the next house, where after a short search they found her under a beer-stand, rolled up like a hedge-hog. As soon as she was discovered, she held out her hand, and desired she might be helped up, which done, she was confronted with Blee, and absolutely persisted in having no knowledge of him, protesting she had never seen Blee before. However, they forthwith brought her to London in a coach, to the Jerusalem tavern on Clerkenwell Green; and on hearing that Justice Spurling was not to be in town till the next morning, they carried her for that night to the Flying

Horse in Bartholomew-close, where they secured her till the next day, and then carried her before Justice Spurling, who came to town on purpose.

This wretch, while before the Justice, stiffly denied knowing Blee, who was present, or Mac Daniel, or Berry, or any thing concerning Kidden; but Blee swearing positively to her, she was that day, February 2d, committed to Newgate for the wilful murder of Joshua Kidden; the commitment charging her, that she caused the said Joshua Kidden to be apprehended, and, by perjury, to be prosecuted and convicted of a robbery, pretended to have been committed by him, the said Kidden, on her the said Mary Jones, and for which he was unjustly executed.

On Thursday the 29th of April, 1756, a bill of indictment was found against the three notorious miscreants, at Hicks's Hall, for the said wilful murder; and another indictment the same day was found by the same Grand Jury, charging them all three for a conspiracy against the life of the said Kidden.

On Friday the 30th of the same month, another bill of indictment was found by the Grand Jury of London, at the Old Bailey, against John Berry and Mary Jones, for wilful and corrupt perjury on the trial of the said Joshua Kidden, (Mac Daniel was not on the trial), at the Sessions-house in the Old Bailey, when he was unjustly convicted solely on the most full and positive evidence of the said Berry and Jones, whose said testimonies were utterly false, and wilfully corrupt.

The next evening the three prisoners were brought from Newgate to the bar at the Sessions-house in the Old Bailey, and severally arraigned on the said three indictments, to all which they pleaded Not Guilty; and then a motion was made in behalf of the prosecution, that the prisoners trials thereon might be put off to the next Sessions, because the witnesses for the prosecution could not be present to give their testimonies till then; whereupon it was moved by counsel for Mary Jones, on the Habeas Corpus Act, that as she the said Mary Jones had been confined two sessions, and that as she had put in her prayer the first day of each sessions to be tried, bailed, or discharged, and the prosecutor not ready to go to trial on the indictment for the murder, she having been charged only with the murder of Kidden before, that she was entitled by law to be discharged from her confinement, on account of the said indictment for the murder; and that they were ready to give bail for her appearance at the next sessions, to take her trial on the other two indictments, as they were bailable offences; and, on hearing counsel on both sides, the Court were of opinion, that for neglect of prosecuting her, she was entitled to be set at liberty in pursuance of the Habeas Corpus Act, on the charge of murder, but that they should expect undeniable bail for her appearance, to take her trial on the other two indictments next sessions, and accordingly she was left by order of Court for bail.

The Court having given their opinion, the counsel for the Crown

then replied, that, if her person was to be discharged for neglect of prosecution, as soon as she was bailed for the other offences, they would immediately apprehend her on a warrant, as standing charged with the murder of Joshua Kidden, and not having taken her trial, by which she must by law be re-committed; adding, that she could never be cleared of the crime till discharged by verdict of a jury.

Accordingly, in June Sessions, 1756, in Alderman Bethell's mayoralty, Mac Daniel, Berry, and the female miscreant Mary Jones, were indicted for the wilful murder of Joshua Kidden, in maliciously causing him to be tried, convicted, and executed, well knowing him to be innocent of the fact they laid to his charge, and with an intent to share to themselves the reward. They were convicted (DEATH); but, there being a doubt whether the facts proved against them amounted in law to murder, the Court immediately respited the judgment, in order that the point might be solemnly argued before the twelve judges, and the attorney-general declining to argue the point of law,* the prisoners were, as to the indictment for murder, at a subsequent sessions, discharged!

* "We have the authority of Mr. Justice Blackstone (4 Com. 196) for saying that the attorney-general did not decline arguing the point of law from any apprehension that it was not maintainable, but from other *prudential reasons*; and therefore that nothing should be concluded from the waving of that prosecution. What the chief of those *prudential reasons* was, he alludes to in the same passage; namely, to avoid the danger of deterring witnesses from giving evidence upon capital prosecutions, if it must be at the peril of their own lives. With respect to the offence, 'in foro conscientiarum,' it is, without doubt, as aggravated a species of murder as any that can be conceived."—East's Pl. Cr. c. 5, s. 94. Mr. East subjoins, that he "has heard Lord Mansfield, C. J., make the same observation (as Mr. Justice Blackstone), and say, that the opinions of several of the judges at that time, and his own, were strongly in support of the indictment."

Mr. Barrington, in his observations on the pillory, remarking on the infliction of that punishment on Egan and Salmon, says "the offence of these criminals was undoubtedly of the most atrocious nature; nor do I see," saith he, "why they might not have been indicted for murder, notwithstanding Mr. Justice Foster hath, in his Reports, p. 132, intimated his opinion that such an indictment would not lie, and chiefly because there is no such precedent!" It seems Sir Edward Coke informs us (3 Inst. 48), that "to procure the death of an innocent person, by giving false evidence against him, was not holden for murder in his time:"—ergo, it cannot be murder in ours!—Miserable trifling!

By the ancient common law of England, it was held to be murder to bear false witness against another, with an express premeditated design to take away his life, so as the innocent person be condemned and executed.—Mirror, c. 1, s. 9, Brit. c. 52, Bract. lib. 3. c. 4.

"The doubt," says Judge Foster, "could not have arisen in any other country, where the Roman law is allowed to have any weight; for by that law it is expressly declared, That witnesses, who by a false and malicious testimony procure an innocent man to be capitally condemned, shall be deemed guilty of murder. 'Quive falsum testimonium dolo malo dixerit, quo quis publico judicio rei capitalis damnaretur.'—Digest. lib. 48, tit. 8, § 2."

From this result there is too much reason to fear, that the just indignation excited in the public mind produced that effect in certain quarters which it seldom fails to do, when facts discover the rottenness of a system, or the cold-hearted indifference or neglect of its administrators.* At a time, therefore, when the country is once more disgraced by similar scenes of villainy, the public attention cannot be called too pointedly to this probability, or, finding it fact, be urged too strongly to watch against a repetition. It will scarcely be credited that the discoveries of 1756 produced no permanent alteration of the system with respect to rewards, although the journals of that year state that more than SEVENTY PERSONS

* The reader's attention will be well bestowed upon the following argument by an acute writer.—“ I have often reflected on the defective ADMINISTRATION of our laws, but never so much as since the affair of the thief-takers. It is objected that they cannot be *legally* convicted of any crime but PERJURY, *though by that perjury they knowingly, deliberately, wilfully, and maliciously TOOK AWAY LIFE*; for, where there is no provocation to kill, malice is implied by the law. I will propose a parallel case—the well-known fable of the Monkey, the Cat, and the Chesnuts, and ask, whether the monkey did not burn the cat wilfully and of malice aforethought? or whether he only feloniously stole the chesnuts, and burnt the cat as a means safely to perpetrate the theft? For my part, I think he did burn the cat wilfully and of malice aforethought. He knew he could not have the chesnuts without making use of her paw, or running the hazard of burning himself. He determined, however, to have them without burning his own, therefore he determined to use the cat's paw; or, in other words, he wilfully and of malice aforethought intended and resolved to put the cat's paw in the fire, by which act he knew the cat's paw would be burnt. This act of barbarity was certainly a greater crime than the stealing of the fruit, and surely the cat had as much reason to seek redress as the owner of the chesnuts. Now the condemnation of the porter (Kidden) was the means which the thief-takers pitched upon to cheat the public of certain rewards. They did not choose to rob openly on the highway, or break into a house, and thus expose themselves to punishment, as the monkey did not choose to venture his own fingers; but they determined to gain the money without exposing themselves, therefore they determined to procure the porter's condemnation; and, as the natural consequence of the monkey's putting the cat's paw into the fire was the burning it, so was the man's death the natural consequence of the condemnation they procured. Surely, then, they resolved, and intended wilfully, and of malice aforethought, to procure his death, as the only means by which they could safely rob the public. Their perjury on the trial, or their defrauding the public of a sum of money, is equal to the theft of the chesnuts. But the means they used, or their prosecuting the man to death, was, like the monkey's burning the cat, a determined, wilful, malicious act—a separate act of murder, for which they ought to die. Had the cat sued the monkey before *Æsop*, her action would have been considered apart from the theft, and he would have received adequate punishment for his injury to her.—Upon the whole, these wretches evidently contrived the porter's death, and they stedfastly persevered in their horrid machinations, without the least remorse, till they executed him, under the sanction of the law. And shall those laws protect them? No: away with such detestable monsters; cut them off quickly, as a satisfaction to their country and a reparation of her honour.”—*Gent. Mag.* vol. 26, p. 295.

were convicted by the machinations of Mac Daniel, Berry, and their gang, who received upwards of *one thousand seven hundred and twenty pounds* FROM THE TREASURY for BLOOD-MONEY. They further state, that previously to the sensation created by these trials, which partially impeded this species of humane and judicious encouragement, *forty-five* persons were capitally convicted in *one* year, and that for *two* years afterwards the condemned only amounted to *fifteen*. What do such facts prove with respect to the policy of this unqualified pecuniary incentive to conspiracy and perjury?—and more—coupled with existing circumstances, what a comment do they not form on the fulsome and ridiculous panegyric which has been so incessantly heaped on this order of men by the Bench—and, by the bye, on few more than on the fellow whose criminality is now under investigation? Credit is doubtless due to active and undaunted individuals of this class, and let their merit be appreciated in the proper quarter; but, for the honour of Christianity, let us be spared orations upon exertions which are rewarded exactly in proportion as they are made, and that too by a direct premium on *blood*. The manner in which this is sometimes done resembles the patting of a terrier when it issues with ensanguined jaws from a rat-hole, and would be barely sufferable if reward were out of the question. Those who attend examinations must frequently observe the extreme licence assumed by police officers, and occasionally wonder at the implicit credit their unsupported testimony receives. Some confidence must be put in them undoubtedly; but the cases at present before the public ought to convince every unprejudiced person of the danger of implicitly trusting to *men* who receive FORTY POUNDS per head—for *hanging other men*. Without any great assumption of philosophy, and yet with all proper liberality, it may be asserted that thief-taking, as a profession, is not favourable to correct morals, and that an intimate acquaintance with the *taken* sometimes operates most injuriously on the *taker*—not to mention the previous rank of life of the *holy brotherhood*, which neither is nor can be the best taught. All this bespeaks caution and reserve on the part of the magistracy; but unfortunately an acquaintance with the refuse of society sometimes affects them as much as their inferiors. There is a kind of slang aptitude observable occasionally both on the bench and the judgment-seat, which is a sure indication of the effect of *evil communication*; and, what is worse, a “right worshipful” of this class is generally *severe*. He serves doubt as Alexander did the Gordian knot; he cuts it—and death ends all evils.

But little would be the comparative utility of adverting to the past, to throw a light upon present villainy, if individuals only were blameable, and not the *system*. In referring to the monstrous murders of the gang of 1756, it should never be forgotten that, in all human probability, the facts brought to light formed but a very small part of its infernal labours. Both before and after.

wards the same machinery of rewards was in full motion;* and every discovery, that of 1816 not excepted, has proved that the parties concerned were veterans in their line. Who can say how many innocent persons fell a prey to Berry and Co. of 1756?—who determine the number of the victims of the conspirators of 1816?† Bad characters were certainly their most obvious prey; but the murdered Kidden of the former band, and the poor convicted Irishmen of the latter, prove the carelessness of these wretches as to the demerits of those whom they sacrificed for reward. And then, as to the actually bad, of what description were they?—the very worst by no means, but generally poor, ignorant, and miserable pilferers, or small depredators, whom it was necessary to *tempt* into the commission of daring crime! Indeed, the wretched plan of remuneration per head, and species of offence, must produce this mischief every way; for, *until guilty of something CAPITAL, they are not worth apprehending, and thus PREVENTION is indirectly impeded.* The slightest reflection will convince us that, with respect to connivance, the evil of remunerating by specific reward must be abundant. Allowing police officers to be every thing they are sometimes said to be, they cannot be expected to move so alertly without a pecuniary motive as with one; and, not to make them Macdaniels or Berrys, is it uncharitable to infer that many among them may be indifferent to the detection of crimes which are short of price—to the apprehension of criminals who do not *weigh their weight!*‡

It must not be imagined that this account is edited with the slightest wish of prejudicing the individuals now in custody. Where enormous guilt is alleged, the more calmly should the judgment be exercised on the circumstances tending to prove it;

* It is hardly necessary to refer to the well-known labours of Jonathan Wild. The wretched villainy to which the system of specific reward formerly gave rise, is indeed unspeakable. Let any one refer to the novels of Fielding, particularly *Amelia*, and attend to the scenes described by a man who was subsequently at the head of Bow-street. Smollett is equally severe; as witness the apprehension of poor Humphrey Clinker. These were only fictions, it will be said: true; but they are the fictions of men whose knowledge of existing society was undeniable; and novels, says Lady M. W. Montague, always convey the received sentiments of their day.

† Should any other person be enabled to ascertain the fate of the wretch Mary Jones, and will convey particulars to the publisher, it shall be noticed in a second edition. It will be recollected that Egan was killed in the pillory. On the 26th February, 1762, Berry died in Newgate of eating muscles. The year afterwards, Mac Daniel got himself sent as a soldier to the Indies for life. Salmon, it is believed, died in Newgate before Berry. But further precise information respecting them will be acceptable to W. Hone, 55, Fleet-street.

‡ And who, it may be added, can say how many fell victims to similar iniquity, which has never been discovered? A complete understanding seems to have existed among the thief-takers of 1756;—were these alone guilty who were *apprehended*?—See what Spanish Jack said of the thief-takers then in Newgate, as well as of those *at liberty!* (p. 9, *note*.)

but it is quite evident that *too much attention cannot be paid to the cases now before the public*, and that a reference to a miserable falling-off in substantial justice on a former occasion may operate to prevent the recurrence of a similar evil at present.* It may do more—it may move enlightened and powerful individuals to investigate the merits of an arrangement which has thus *repeatedly*† employed law to murder innocence, and produced instances of demoniacal wickedness disgraceful to the age and country in which they occur—an investigation which, to be serviceable, must not attend for a moment to round assurances or certificates of character, which, on the detection of every species of low oppression or tyranny, is sure to be obtained. Magistrates absolutely certified the merits of Macdaniel and Berry in the public prints of their day, when first taken up;‡ and it is now very well known that, when light breaks in upon the evil deeds of men of their stamp, it is the interest of many to stop up the gap.§ Hence, with great truth, a writer on the homicide of Egan, in a most respectable publication of that day, enumerates amongst the causes which generate such monsters “*the ENCOURAGEMENT given to THIEF-TAKERS—who will never want the character of useful and good-spirited men—from fellows but ONE degree above themselves.*”

* It is impossible to deny the necessity of precise definition in criminal law, or that the guilty should have the benefit of the omission; but, in the abstract, it is impossible not to smile with bitterness at the idea of a dozen men in large wigs assembling to decide whether falsely swearing a man to the gallows for 40l. is murder, and gravely declaring No!—it is a picture for Gulliver! It is no palliation to say, that the miscreants endured worse than death in the pillory—that was *in spite* of law; and the woman Jones apparently escaped all.

† Just as this was going to press, the publisher was favoured, by an intelligent friend, with the following extract from the *Gent. Magazine*.—“May 14, 1785. The grand jury for Middlesex found a bill of indictment against John Lockrell and a constable, his accomplice, for perjury, having sworn against two men, Peter Newberry and William Iveson, both capitally convicted and included in the dead-warrant, but since found innocent, on the fullest enquiry, and sworn against only to obtain the reward. What punishment can be adequate to such an offence?”—Mr. Urban, by reference to former volumes of his excellent Miscellany, might have profitably engaged the attention of his readers.

‡ In public advertisement they styled them *very honest fellows*, and men who hazarded their lives for *the good of their country!* (See p. 7).

§ It is not very extraordinary that at that period, when the police was under very bad management, and trading justice was in full custom, many of its retainers, who were criminals, should escape. They could better spare better men, upon the very principle that a bed-ridden weaver in New England was hanged for the murder of an Indian, committed by a preaching cobbler. The Indians insisted that the *murderer* should be hanged; but, as they did not know his person, the New England people thought it much better to hang up the bed-ridden weaver than the offender, “who,” says the narrator, “was a *useful* man among them, by acting in the double capacity of preaching and cobbling.”—*Gent. Mag.* vol. 7, page 712.

THE END.

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